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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,431	01/06/2004	Yuuki Iwasaki	247293US6	3218
22850	7590	08/30/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LEA EDMONDS, LISA S	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H/A

Office Action Summary	Application No. 10/751,431	Applicant(s) IWASAKI ET AL.	
	Examiner Lisa Lea-Edmonds	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 1 recites the limitation "the rear wall" in lines 8 and 10; and also recites the limitations "the lower portion" in line 10. Claim 3 recites the limitation "the rear wall" in lines 10 and 12; and also recites the limitations "the lower portion" in line 12. There is insufficient antecedent basis for these limitation in the claims. Claims 2, 4, and 5 are dependent from claims 1 and 3, respectfully, and are also indefinite for at least the same reason as claims 1 and 3.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Conner et al. (5175672). With respect to claims 1 and 2, as best understood, Conner et al. teaches an information terminal apparatus (10) having a thin housing structure including at least a display (86), said information terminal apparatus (10) being driven by batteries, an information terminal apparatus comprising a battery pack (32) for accommodating therein said batteries, said battery pack (32) including rotary support mechanism (see figures 1-9) for rotating said battery pack (32) at an intermediate portion of a rear wall side (84) of said display (86) such that said battery pack (32) becomes freely openable and closable from a lower portion of the rear wall side (84) of said display (86), wherein said rotated battery pack (32) is used as a stand enable said display (86) to rise to the erect position and said battery pack (32) is directly exposed to the air, wherein said information terminal apparatus (10) further comprises a base device (20) including wireless communication means (34, 60) and wireless communication means (34, 60) capable of making wireless communication including reception of image data information as claimed (see for example figures 1-9). With respect to claims 3-5, as best understood, Conner et al. teaches an information terminal apparatus (10) having a thin housing structure including at least a display (86), said information terminal apparatus (10) being driven by batteries, an information terminal apparatus (10) comprising a battery pack compartment member (30) which a battery pack (32) to accommodate therein said batteries is detachably attached, said battery pack compartment member (30) including battery pack rotary support mechanism (see figures 1-9) for rotating said compartment member (30) about an intermediate portion of

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a rear wall side (84) of said display (86) so that said battery pack compartment member (30) becomes freely openable and closable from the lower portion of the rear wall side (84) of said display (86), wherein said rotated battery pack compartment member (30) is used as a stand formed as one body with said battery pack (34) to enable said display (86) to rise to the erect position and said battery pack (34) directly exposed to the air, wherein said battery pack (34) includes first connection means for making electrical connection with engagement means and said battery pack compartment member includes fixing means for fixing said engagement means when said battery pack is attached thereto and second connection means connected to said first connection means to make electrical connection with said first connection means when said battery pack is attached thereto, wherein said information terminal apparatus (10) comprises a base device (20) including wireless communication means (34, 60) and wireless communication means (34, 60) capable of making wireless communication including reception of image data information, as claimed (see for example figures 1-9).

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the teachings of Yokota et al. (5247285), Shoji et al. (6002583), Ma (5260885), Min (6411288), Lee (6452795), Foster et al. (5594617), and Barrus et al. (5642258).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 571-272-2043. The examiner can normally be reached on Monday - Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Lisa Lea-Edmonds
Primary Examiner
Art Unit 2835

2005-08-28